

REMARKS

Claims 1-9 were previously pending in the application. By the Amendment, Claim 1 has been amended, new Claims 10-17 have been added, and Claims 2-9 remain unchanged. Applicants gratefully acknowledge the Examiner's indication that Claims 6-8 include allowable subject matter.

Claims 1-5 and 9 stand rejected under the cited prior art of record. Specifically, Claims 1-3 and 9 are rejected under 35 USC §102(b) as being anticipated by Ackeret (DE 28 06 096 A1). Applicants note that U.S. Patent No. 4,157,062, issued to Ackeret, claims priority to DE 28 06 096 A1 and discloses substantially similar subject matter as DE 28 06 096 A1. Also, Claims 1, 2, 4, 5 and 9 are rejected under 35 USC §102(b) as being anticipated by Krups (DE 89 08 774).

As will be explained below, it is believed that the claims were patentable over the cited art in their original form and as a whole the claims have, therefore, not been amended to overcome the references. However, independent Claim 1 has been amended to include the "stationary" limitation from independent Claim 9.

Independent Claim 1 recites a fruit juicer, comprising: a rotatably disposed, upwardly tapering, projecting element for pressing fruit: a collection bin annularly surrounding said element and rigidly connected to said element for rotating with said element in a direction of rotation, said collection bin having an annular surface and openings formed therein for fruit juice to pass through; and at least one stationary blade disposed to squeeze fruit juice out of fruit pulp in said collection bin, said at least one blade being inclined downwardly in the direction of rotation, for compressing the fruit pulp between said blade and said annular surface.

Ackeret discloses a motor driven fruit press which has a pressing cone (1) that is molded in one-piece with a sieve (2). On a bottom part of the cone (1) is a loosely mounted ring (4) that is fixedly attached to wiper elements (5). The wiper elements (5) extend spirally from the ring (4) to the outer rim of the sieve (2). The ring (4) and **upper edges** of the wiper elements (5) are tapered so that fruit juice and fruit pulp are not prevented from running into the sieve (2) (last paragraph on page 7). Fig. 1 of Ackeret shows that the wiper elements (5) are of constant height from the ring (4) to the outer rim of the sieve (2).

The Ackeret reference does not show at least one *stationary* blade disposed to squeeze fruit juice out of fruit pulp in the collection bin, the at least one blade being *inclined downwardly* in the direction of rotation, for compressing the fruit pulp between the blade and the annular surface, as recited in Claims 1 and 9 of the instant application. Rather, Ackeret discloses wiper elements that extend from a pressing cone to the outer edge of a sieve and which are disposed on a *loosely mounted* ring. The wiper elements are of *constant height* from the ring to the edge of the sieve. The wiper elements maintain a *constant spacing* with respect to the bottom of the sieve over the length of the wiper elements. Ackeret *does not* disclose that the wiper elements are *inclined downwardly* in the direction of rotation of the sieve and Ackeret *does not* disclose that the wiper elements are *stationary*. This is contrary to the invention of the instant application as claimed, in which at least one *stationary* blade is disposed to squeeze fruit juice out of fruit pulp in the collection bin, the at least one blade is inclined downwardly in the direction of rotation, for compressing the fruit pulp between the blade and the annular surface.

For these and other reasons, Ackeret does not anticipate Claim 1, and withdrawal of the corresponding rejection is respectfully requested. Claims 2-8 depend from Claim 1 and should be allowed for the same reasons and also because they recite additional patentable subject matter.

Krups discloses an electrically driven juice press having a pulp finger (41). The pulp finger (41) is selectively adjustable for adjusting its distance from the floor of the sieve (20). The pulp finger (41) is pivotally mounted in order to achieve the adjustability of the pulp finger (41).

Krups does not disclose at least one *stationary* blade disposed to squeeze fruit juice out of fruit pulp in the collection bin, the at least one blade being inclined downwardly in the direction of rotation, for compressing the fruit pulp between the blade and the annular surface, as recited in claims 1 and 9 of the instant application. The Krups reference discloses a pulp finger that is *pivotally mounted* so as to allow a selective adjustment of the distance between the pulp finger and the floor of the sieve. Krups *does not* disclose that the pulp finger is a *stationary* pulp finger that is inclined in the direction of rotation of the juice press. This is contrary to the invention of the instant application

as claimed, in which at least one *stationary* blade is disposed to squeeze fruit juice out of fruit pulp in the collection bin, the at least one blade is inclined downwardly in the direction of rotation, for compressing the fruit pulp between the blade and the annular surface.

For these and other reasons, Krups does not anticipate Claim 1, and withdrawal of the corresponding rejection is respectfully requested. Claims 2-8 depend from Claim 1 and should be allowed for the same reasons and also because they recite additional patentable subject matter.

It is appreciatively noted from the second paragraph on page 3 of the Office Action, that Claims 6-8 would be allowable if rewritten in independent form including all of the limitation of the base claim and any intervening claims. The claims have not been amended as indicated by the Examiner because the Applicants believe the claims are patentable in their existing form.

New Claims 10-17 have been added. New independent Claim 10 recites a fruit juicer, comprising: an annular body; a collection bin mounted for rotation with respect to the annular body, the collection bin having a bottom surface defining multiple openings permitting fruit juice to pass through the bottom surface; a pressing element projecting from the collection bin in an axial direction and being fixed to the collection bin for rotational movement with respect to the annular body; and an elongated member projecting radially inwardly from the annular body and extending in a circumferential direction along the annular body, the elongated member being inclined downwardly toward the bottom surface and compressing fruit pulp between the elongated member and the bottom surface when the collection bin and pressing element rotate in relation to the annular body and elongated member.

The prior art does not disclose a fruit juicer as recited in Claim 10. More specifically, Ackeret and Krups, either alone or in combination, do not disclose an elongated member projecting radially inwardly from the annular body and extending in a circumferential direction along the annular body, the elongated member being inclined downwardly toward the bottom surface, as recite in Claim 10. Furthermore, the prior art does not disclose a fruit juicer in which the pressing element and collection bin are rotatable with respect to the annular body and the elongated member, as recited in Claim

10. Therefore, Applicants respectfully request allowance of independent Claim 10. Claims 11-17 depend from Claim 10 and should be allowed for the same reasons and also because they recite additional patentable subject matter.

CONCLUSION

In view of the above, entry of the present Amendment and allowance of Claims 1-17 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. Please note that Applicants have changed representation and are now represented by new counsel. The formal Revocation of Power of Attorney / New Power of Attorney and Change of Correspondence Address documents will be forthcoming.

Craig J. Loest

Name of Attorney Signing under 37 CFR 1.34

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Craig J. Loest", with a stylized flourish at the end.

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